

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Samuel D. Dull III, et al. : Date: April 10, 2006
Group Art Unit: 2192 : IBM Corporation
Examiner: A. Fowlkes : Intellectual Property Law
Serial No.: 09/821,920 : Dept. 917, Bldg. 006-1
Filed: March 30, 2001 : 3605 Highway 52 North
Title: METHOD AND APPARATUS FOR : Rochester, MN 55901
INSTALLING AND UPGRADING AN
APPLICATION IN A COMPUTER
SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 2313-1450

Sir:

I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

April 10, 2006

Date of deposit

Roy W. Trudelson

4/10/06
Date

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated November 20, 2005, finally rejecting all claims herein. Applicants appeal the final rejection with respect to claims 9, 15, 16 and 19, only.

The appeal fee pursuant to 37 C.F.R. §1.17(b) for other than a small entity is \$500.00.

Please charge Deposit Account No. 09-0465 in the amount of \$500.00.

Docket No.: ROC920010099US1
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Applicants previously filed a response to the Final Office Action on January 30, 2006, i.e., within two months of the date of the Final Office Action. The time for responding to the Final Office Action was therefore extended until the Examiner issued an Advisory Action herein. The Examiner issued an Advisory Action on March 13, 2006. The present Notice of Appeal is being filed within one month of the date of the Advisory Action. Accordingly applicants respectfully request a one-month extension of time to respond to the Final Office Action dated November 30, 2005, as extended by the Advisory Action dated March 13, 2006. Please charge Deposit Account No. 09-0465 in the amount of \$120.00, the extension fee for other than a small entity.

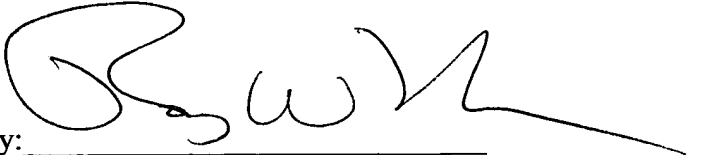
The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0465:

- (a) Any additional filing fees under 37 C.F.R. §1.16; and
- (b) Any patent application processing fees under 37 C.F.R. §1.17.

A duplicate copy of this notice is enclosed herewith.

Respectfully submitted,

SAMUEL D. DULL III, et al.

By: 

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